



### Memorandum

TO: Indiana Housing Finance Authority Program Participants

FROM: Indiana Housing Finance Authority

DATE: December 1, 2004

Re: Physical Inspections for Tax Credit and Community Development Programs

According to HUD and Section 42 regulations the Indiana Housing Finance Authority (IHFA) is required to ensure that all assisted properties are suitable for occupancy, taking into account local health, safety and building codes. IHFA defers to Indiana State Building Code during its inspection processes.

This policy outlines the process for rectifying disagreements between property owners and IHFA's interpretation of health, safety and building codes when differences in interpretation occur during physical inspections.

A disagreement, with health and/or safety codes, can only be rectified through the office of the State Building Commissioner. This agency has the statutory authority to make code interpretations as per Indiana Administrative Code. When a disagreement occurs with the findings of an IHFA physical inspector or the 3rd party inspection agency, property owners should follow the process outlined below:

1. The property owner must obtain and submit a letter from the local code enforcement agency supporting the owners interpretation of the issue.
2. Once the local code enforcement documentation is received, IHFA will issue clearance on the issue in regards to 8609's or annual physical inspections.
3. IHFA will forward all information received to the State Building Commissioner for review and determination of compliance. The State Building Commissioners determination of compliance will be used in all future inspection reviews conducted by or on behalf of IHFA.

If you have any questions regarding this policy please contact Mark Young, Tax Credit Compliance Manager, at 317-232-7777, toll free at 800-372-0371 or by e-mail at [myoung@ihfa.state.in.us](mailto:myoung@ihfa.state.in.us).